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9
10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT
SAN FRANCISCO DIVISION

11 SUSAN SIMON, individual, on behalf of
12 herself and all others similarly situated,

13 Plaintiff,

14 v.

15 ADZILLA, INC. [NEW MEDIA], a
Delaware Corporation; CONDUCIVE
16 CORPORATION, a Delaware Corporation;
CONTINENTAL VISINET
17 BROADBAND, INC., a Delaware
Corporation; CORE
18 COMMUNICATIONS, INC., d/b/a
CORETEL COMMUNICATIONS, INC., a
19 Delaware Corporation; AND JOHN DOES
1-50, Corporations Defendants,

20 Defendants.

21 CASE NO. 3:09-cv-00879-MMC

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THIRD STIPULATION REGARDING TIME
FOR PLAINTIFF'S RESPONSE TO
DEFENDANT CONTINENTAL VISINET
BROADBAND LLC'S MOTION TO DISMISS
AND TO CONTINUE HEARING DATE

The Hon. Maxine M. Chesney

Pursuant to Civil Local Rule 6-1, Plaintiff and Defendant Continental Visinet
Broadband LLC ("Continental Visinet") hereby stipulate and agree as follows:

1. The time for Plaintiff to file a response to Continental Visinet's Motion to Dismiss
(Dkt. No. 9) is extended to August 7, 2009.

STIPULATION RE CONTINENTAL
VISINET MOTION TO DISMISS

3:09-CV-00879-MMC

1 2. Plaintiff filed her complaint on February 27, 2009.
2 3. Continental Visinet filed its Motion to Dismiss on March 30, 2009.
3 4. This is the third request for an extension of time concerning a response to
4 Continental Visinet's Motion to Dismiss.
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6 5. The parties request this extension to allow Plaintiff and Defendant Continental
7 Visinet to finalize their discussions regarding a non-judicial resolution of the matter through
8 informal discussions. The parties have agreed in principal to such a resolution and require
9 additional time in which to finalize details to formally implement the non-judicial resolution as to
10 Continental Visinet.

11 6. This requested time modification will require the Court to reschedule the hearing
12 on Defendant Continental Visinet's Motion to Dismiss, which is currently scheduled for July 31,
13 2009 at 9:00 a.m. The parties propose that the Court reschedule the hearing for Friday, August
14 28, 2009 at 9:00 a.m.

16 Dated: July 15, 2009

17 By: /s/
18 Alan Himmelfarb KAMBEREDELSON, LLC
19 *Attorney for Plaintiffs*

20 Dated: July 15, 2009

21 By: /s/
22 Martin L. Fineman DAVIS WRIGHT
23 TREMAINE LLP
24 *Attorney for Defendant Continental Visinet*
25 *Broadband LLC.*